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19 *Attorneys for Plaintiff Kellye Croft*

20 **UNITED STATES DISTRICT COURT**
20 **CENTRAL DISTRICT OF CALIFORNIA**

21 KELLYE CROFT,

22 Plaintiff,

23 vs.

24 JAMES DOLAN, HARVEY
25 WEINSTEIN, JD & THE STRAIGHT
25 SHOT, LLC, THE AZOFF COMPANY
26 HOLDINGS LLC f/k/a/ AZOFF
26 MUSIC MANAGEMENT, LLC, THE
27 AZOFF COMPANY LLC f/k/a AZOFF

Case No. 2:24-cv-00371-PA (AGR)

28 **SECOND AMENDED COMPLAINT
SEEKING DAMAGES**

JURY TRIAL DEMANDED

28 AMENDED COMPLAINT SEEKING DAMAGES

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1 MSG ENTERTAINMENT, LLC, DOE
2 CORPORATIONS 1-10,

3 Defendants.
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AMENDED COMPLAINT SEEKING DAMAGES

**TRIGGER WARNING:
THIS DOCUMENT CONTAINS HIGHLY GRAPHIC INFORMATION OF A
SEXUAL NATURE, INCLUDING SEXUAL ASSAULT**

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2
3 Plaintiff Kellye Croft alleges as follows:

4 **PRELIMINARY STATEMENT**

5 1. In 2018, James Dolan sent an email to his “friends” sharing the debut
6 of a new song he wrote. He explained that the song was about his feelings about
7 friends of his who were alleged to have used “power to coerce or force sexual
8 gratification”—a clear reference to his former best friend and now convicted sexual
9 predator Harvey Weinstein, who had recently been outed as a serial perpetrator of
10 rape and sexual assault.

11 2. The chorus of the song, “I Should’ve Known,” is as follows:

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15 I should’ve known
16 I should’ve known
17 I should’ve thrown
18 Myself across his tracks
19 Stopped him from these vile attacks
20 I should’ve known
21 We believed and didn’t see
22 Through the lies he told us all
23 They led him to his endless fall
24 I should’ve known
25 I should’ve known

26 3. Among the “friends” Dolan sent this email to was Kellye Croft, a young
27 woman from Smyrna, Tennessee. Dolan met Ms. Croft in 2013, when she was 27
28 years old and he was 58 years old, and when she was working as a Licensed Massage
Therapist on tour with the rock band, the Eagles. Dolan, upon information and

1 belief, significantly contributed to the financing for that tour, and his band, JD &
2 The Straight Shot, opened for the Eagles.

3 4. Upon hearing this song, Ms. Croft was horrified—not just by the
4 mediocrity of Dolan’s music, but moreover by the blatant lie the song told.
5

6 5. In January 2014, Dolan and related companies brought Ms. Croft to Los
7 Angeles. Although Ms. Croft was purportedly to perform work as a Licensed
8 Massage Therapist, in reality, she was being trafficked by Dolan—a man over three
9 decades older than her—under fraudulent pretenses for Dolan to engage in unlawful
10 and unwelcome sex acts with her.
11

12 6. Adding insult to injury, during this trip—because of Dolan’s actions in
13 facilitating, enabling, and aiding Weinstein in meeting Ms. Croft—Ms. Croft also
14 fell victim to one of Weinstein’s “vile attacks” mentioned in Dolan’s song.
15

16 7. Immediately after the attack by Weinstein, she told Dolan what
17 happened.
18

19 8. Contrary to Dolan’s overly-insistent incantation in 2018 that he
20 “should’ve known” about Weinstein’s problematic behavior—he did know. Dolan
21 knew about Weinstein’s predatory behavior prior to January 2014 as he readily
22 admitted to Ms. Croft that he knew all about Weinstein’s history of assaulting and
23 sexually abusing women, telling her that “we all know” that Weinstein “has
24 problems,” and insisting that “his friends” were trying to get him “help.”
25

1 9. Ms. Croft was upset by Dolan's response, but at the time she was
2 completely unaware of the extent to which Dolan, Weinstein, and Irving Azoff,
3 manager of the Eagles, were all close friends and business partners. As evidenced
4 by the pictures below, these men were close to one another, and thus almost certainly
5 knew details about each other's personal lives.



16 *James Dolan and Harvey Weinstein, 2005*



25 *James Dolan and Harvey Weinstein, 2014*



James Dolan, Irving Azoff, and Harvey Weinstein, 2014 ¹

10. Nor did Ms. Croft know that Dolan had a reputation for being brutish
 11 and difficult to work with. Dolan's unlawful acts and misogynist views are now
 12 widely known, with Dolan having been found liable for attempting to silence
 13 Anucha Browne by terminating her employment after she complained about being
 14 sexually harassed by Isiah Thomas. Even years after the \$11.6 million jury verdict,
 15 Dolan refused to accept responsibility for his actions, claiming that Ms. Browne
 16 made up many of her allegations.

17. In short, by claiming that he "should've known," James Dolan doth
 18 protest too much. Although for many years, Ms. Croft had been too traumatized by
 19
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24 ¹ This photo was taken as part of Advertising Week New York in September 2014,
 25 during which James Dolan, Irving Azoff, Harvey Weinstein, and Robert Safian jointly
 26 participated in a public panel entitled "The Curtain Rises" as "industry icons" representing
 27 film, music, sports, and the business of entertainment. See
<https://archive.advertisingweek.com/events/ny/2014/calendar/-newyork-2014-09-29-the-curtain-rises>.

1 these events to speak publicly about what happened to her, she is ready to speak out
2 about what Dolan and Weinstein separately did to her, and the ways in which Dolan
3 facilitated—and orchestrated—Weinstein’s horrific attack. She needs the world to
4 know: James Dolan unlawfully trafficked her for his own sexual gratification and
5 knew about Weinstein’s predatory behavior well before he published his musical
6 mistruths; in fact, he knew before he joined the Board of Directors of Weinstein’s
7 production company.

8

9

10 **PARTIES**

11 12. Plaintiff Kellye Croft is a 38-year-old woman and is a resident of the
13 State of Tennessee.

14 13. Defendant Harvey Weinstein is, on information and belief, a citizen of
15 the State of New York and presently is incarcerated at the Mohawk Correctional
16 Facility in Rome, New York.

17 14. Defendant James Dolan is, on information and belief, a citizen of the
18 State of New York.

19 15. Defendant JD & The Straight Shot, LLC is a New York domestic
20 liability company. On information and belief, JD & The Straight Shot, LLC is
21 substantially or entirely owned, directly or indirectly, by Dolan.

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1 16. Defendant The Azoff Company Holdings, LLC, formerly known as
2 Azoff Music Management LLC, is a music manager and is a Delaware limited
3 liability corporation.
4

5 17. Defendant The Azoff Company LLC, formerly known as Azoff MSG
6 Entertainment, LLC, was a 2013 joint venture between Azoff Music Management
7 LLC and The Madison Square Garden Company. In or about 2018, Azoff Music
8 Management LLC acquired the portion of the joint venture owned by Madison
9 Square Garden Company. The Azoff Company is a Delaware limited liability
10 company.
11

12 18. Defendants The Azoff Company Holdings, LLC and The Azoff
13 Company, LLC are collectively referred to herein as the “Azoff Entities.” On
14 information and belief, the Azoff Entities are directly or indirectly owned in
15 substantial part by Irving Azoff. The Azoff Entities with JD & The Straight Shot,
16 LLC are together referred to herein as the “Corporate Defendants.”
17
18

19 19. During the relevant period, Ms. Croft was jointly employed by the
20 Azoff Entities and JD & The Straight Shot, LLC, which were jointly responsible for
21 paying Ms. Croft and controlling her work.
22
23

24 20. Doe Corporations 1-10 are unknown successor and related entities of
25 the Corporate Defendants who, on information and belief, participated in the events
26 described within that are the basis of Plaintiff’s claims.
27

JURISDICTION AND VENUE

21. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343, as this action asserts violations of 18 U.S.C. § 1591, *et seq.*, and therefore raises federal questions regarding the deprivation of Plaintiff's rights. The Court has supplemental jurisdiction over Plaintiff's related claims arising under state law pursuant to 28 U.S.C. § 1337(a).

22. Pursuant to 28 U.S.C. § 1391(b), venue is proper in this Court because a substantial part of the events or omissions giving rise to this action, including the intentional and negligent tortious conduct alleged herein, occurred in this District.

FACTS

I. Ms. Croft Joins The Eagles on Tour

23. Kellye Croft was born and raised in Tennessee, and by her mid-twenties, had achieved success in her dream career as a Licensed Massage Therapist with her own small studio. She earned her license in 2007 after completing 750 hours of schooling, and had established regular business with Bridgestone Arena, working on Cirque du Soleil tours, and working with individuals connected to the country music scene in Tennessee.

24. In the fall of 2013, she was presented with what she believed was her big break, and the opportunity of a lifetime—to serve as the massage therapist for

1 Glenn Frey of the legendary rock band, the Eagles, on their tour, "History of the
2 Eagles – Live in Concert."

3 25. For Ms. Croft, this was an unprecedented opportunity, and her friends
4 and family were incredibly proud. At the same time, Ms. Croft was intimidated by
5 the offer to travel across the country with a world-famous rock band: she had not
6 traveled extensively before, had never lived on her own, and had never spent more
7 than a few nights away from her tight-knit Tennessee community.

8 26. After a few shows with the Eagles in October 2013, Ms. Croft was
9 thrilled when Tom Golseth, the Eagles' tour manager, reached out to her to see if
10 she would be available to join the band on tour in North Carolina, Alabama, and
11 Florida in November. She gladly accepted the position, and the band arranged for
12 Ms. Croft's massage table to be transported with the band.

13 27. While traveling with the band was an exciting experience, Ms. Croft
14 was also overwhelmed. This was particularly true because she did not know anyone
15 else on the tour, and therefore felt extremely isolated.

16 28. The experience became even more lonely and stressful for Ms. Croft
17 when she got into a disagreement with Golseth, who had inappropriately chastised
18 her and embarrassed her in front of other tour members.

19 29. To make matters worse, soon after these interactions took place,
20 Golseth was fired from the Eagles tour. Thereafter, Ms. Croft became completely
21

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1 ostracized from other tour members, who believed she was the reason for the tour
 2 manager's firing.

3 **II. Ms. Croft Meets Dolan and Is Lured into Unwanted Sexual Contact**

4
 5 30. In addition to serving as Frey's masseuse, tour management gave Ms.
 6 Croft permission to open up massage slots for others on the tour and she did her best
 7 to help and accommodate others who requested her services.
 8

9 31. During the November 2013 leg of the tour, Ms. Croft regularly shared
 10 her business card with others backstage, both to generate business and to counteract
 11 the profound sense of isolation she felt while traveling with the band.
 12

13 32. On one occasion, she shared her card with James Dolan, the lead singer
 14 of the band opening for the Eagles, JD & The Straight Shot. Ms. Croft had never
 15 heard of Dolan, and when she met him, did not know the immense wealth, power,
 16 and influence he had. She later came to understand that Dolan was in multiple
 17 business ventures with the Eagles' management company, Azoff Music
 18 Management, and heard that Dolan was a long-time business partner and significant
 19 funder of Azoff's businesses and of the tour itself, which allowed him to place his
 20 mediocre band as the opening act.²
 21
 22

24
 25 ² See Marc Schneider, *MSG's James Dolan Opens for Eagles, Pens Songs About Eliot*
 26 *Spiter & Trayvon Martin*, *Billboard* (Sept. 12, 2014),
<https://www.billboard.com/pro/james-dolan-eagles-madison-square-garden/> (last accessed April 10, 2024) (noting that Dolan "has secured his own band to warm up the crowd" for
 27

1 33. Days after her disagreement with Golseth, Dolan scheduled a massage
 2 with Ms. Croft. Given her unfamiliarity with Dolan, she did not think much of the
 3 appointment—in fact, she was extremely distracted, as the appointment fell within
 4 days of the disagreement with Golseth and others on the tour were discussing the
 5 incident and her involvement.

6
 7 34. Dolan noticed how upset Ms. Croft was, and he asked her to explain
 8 what was wrong. She explained what had happened, and Dolan responded to her
 9 stating, “I will make sure this is taken care of.” Ms. Croft dismissed her massage
 10 client’s statement, not recognizing how much power and influence Dolan had over
 11 others on the tour.

12
 13 35. Ms. Croft did not know, for example, that Dolan was extremely close
 14 friends with Irving Azoff, who, through his company, was the music manager for
 15 both the Eagles and JD & The Straight Shot. Indeed, around this time, Dolan was
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 17
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 19

20 an Eagles show in NYC, and explaining that “The Dolan-Eagles connection is a strong
 21 one. They share a manager in Irving Azoff and Eagles guitarist Joe Walsh has worked
 22 with the Straight Shot in the studio”); *see also* Scott Cacciola, *The Man in the Middle*,
 23 N.Y. Times (March 24, 2014),
<https://www.nytimes.com/2014/03/25/sports/basketball/the-man-in-the-middle-of-the-knicks-deal-with-jackson.html> (last accessed April 10, 2024) (“Enter Azoff, who has been
 24 business partners with Dolan since 2004, when Dolan began investing in Azoff’s
 25 management company. (Dolan and Madison Square Garden have since poured millions
 26 more into other Azoff ventures.) They speak on the phone several times a day, Azoff said,
 27 and spend time together socially. It was at a party in December, at Azoff’s home in the
 28 exclusive Holmby Hills section of Los Angeles, that Dolan and Jackson retired to a
 downstairs office so they could discuss the Knicks. It was all a part of Azoff’s plan.”).

1 one of a select group of friends who Azoff called every morning to “chat” and “get
 2 ready for battle.”³ When Dolan and Irving Azoff started Azoff MSG Entertainment,
 3 LLC in or about September 2013, Dolan publicly stated that Irving Azoff “was going
 4 to run everything.” Dolan also stated, “We’re going to be a good partner, but [Irving
 5 Azoff] is not subject to a board of directors. He just has me.”⁴ Dolan also shared
 6 that his partnership with Azoff was something they had both wanted for some time,
 7 stating “We’ve always wanted to do this kind of thing. We’re finally in a position
 8 where we can do that. We’ve been collaborating on ideas and relating as business
 9 executives for a long time. This is a natural outgrowth of that.”⁵

10
 11
 12 36. At some point after Dolan’s statement to Ms. Croft that he would take
 13 care of her predicament, Frey called Ms. Croft and apologized repeatedly and
 14 profusely to her for the situation with Golseth. Ms. Croft found this behavior
 15 extremely out of character for Frey. She thereafter learned that the Eagles fired
 16
 17
 18
 19

20 ³ See Scott Cacciola, *The Man in the Middle*, N.Y. Times (March 24, 2014),
 21 www.nytimes.com/2014/03/25/sports/basketball/the-man-in-the-middle-of-the-knicks-deal-with-jackson.html.

22 ⁴ Todd Martens, *Madison Square Garden Invests \$125 million in Irving Azoff Firm*,
 23 L.A. Times (Sept. 4, 2013), <https://www.latimes.com/entertainment/music/posts/la-et-ms-madison-square-garden-125-million-irving-azoff-firm-20130904-story.html> (last accessed
 24 April 10, 2024).

25 ⁵ David Lieberman, *Irving Azoff Teams with Jim Dolan’s Madison Square Garden in New Entertainment Venture*, Deadline (Sept. 4, 2013),
 26 <https://deadline.com/2013/09/irving-azoff-teams-with-jim-dolans-madison-square-garden-in-new-entertainment-venture-578308/> (last accessed April 10, 2024).

1 Golseth from the tour, and rumors spread that the incident between Ms. Croft and
2 Golseth was the reason for the sudden termination. In mid-November 2013, Ms.
3 Croft joined the band in Miami for another part of the Eagles tour. Unfortunately,
4 Ms. Croft continued to feel ostracized by others because of Golseth's firing and was
5 even more isolated than before.

6
7 37. During this trip, Dolan scheduled his second massage with Ms. Croft.
8 Dolan asked Ms. Croft how the situation concerning Golseth had evolved, and Ms.
9 Croft noted that Frey had apologized to her and that she hoped things would get
10 better, although noted that she still felt isolated. Dolan responded, "I told you it
11 would be taken care of," thereby insinuating that he was the one who caused Frey to
12 apologize to her.

13
14 38. At that moment, Ms. Croft began to understand the power Dolan had
15 on the tour—he was even able to get Frey to apologize to her.

16
17 39. Ms. Croft also understood that Dolan could control the Azoff Entities'
18 business decisions about the Eagles tour. For example, Dolan once suggested that
19 Ms. Croft should "travel the world" and join the Eagles when the band traveled to
20 Europe for a continuation of the tour. Ms. Croft had not previously discussed the
21 European leg of the tour with anyone from the Azoff Entities, but Dolan assured her
22 that he would make sure she would be invited to Europe, demonstrating that he could
23 control the Azoff Entities' decision-making about the tour.

1 40. At that same time, in the context of Ms. Croft's professional massage
2 of Dolan, he felt emboldened to further flex his power and influence over Ms. Croft.
3 Towards the end of the massage, Dolan pulled Ms. Croft towards him. She tried to
4 push away, stating that she was very uncomfortable and that she took her job as a
5 Licensed Massage Therapist very seriously and that she wanted to remain
6 professional.
7

8 41. Ms. Croft tried to bring the massage to an end, but Dolan proceeded to
9 come on even stronger, treating Ms. Croft's resistance as part of a challenge or a
10 game.
11

12 42. Dolan then grabbed Ms. Croft's hands, dragging her to a couch in the
13 same room and forcing her hands between his knees as he sat down. Ms. Croft was
14 adamant that she did not want to have any sexual interactions with Dolan, who was
15 married at the time and over thirty years older than Ms. Croft.
16

17 43. Dolan was extremely assertive, and pressured Ms. Croft into unwanted
18 sexual intercourse with him. She felt disgusted and terrified of the situation, but the
19 extreme isolation she felt from others on the tour, coupled with Dolan's attention to
20 her, his assertions that he would take care of her, and her recognition that this man
21 held immense power over everyone's position on the tour—including hers—led her
22 to submit to Dolan's advances.
23

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1 44. Following this unwanted sexual contact, Ms. Croft was summoned to
2 Dolan's room multiple times during the remainder of that part of the tour. On each
3 of these occasions, Dolan made unwelcome advances toward Ms. Croft, and she felt
4 obligated to submit to sex with him.
5

6 45. Dolan was extremely manipulative, constantly reminding Ms. Croft of
7 the way he "fixed" the situation with Golseth for her. He would also regularly name-
8 drop famous celebrities and sports stars he said were his friends. He also suggested
9 that Ms. Croft would have opportunities for more work through him, noting that as
10 the owner of Madison Square Garden, many musical tours went through that venue
11 and required massage services. Although Dolan claimed to be sober, Ms. Croft saw
12 multiple bottles of Valium and Ambien in Dolan's possession.
13

14 46. Ms. Croft was disgusted by Dolan, but her youth and extreme loneliness
15 while on the road with strangers, as well as Dolan's immense power, made it possible
16 for Dolan to manipulate Ms. Croft and lure her under his control.
17

18 **III. Dolan and Other Entities Traffick Ms. Croft to California**
19

20 47. Around the end of 2013, Ms. Croft received a request from the Azoff
21 Entities to join the tour in Los Angeles, California.
22

23 48. Although Ms. Croft understood that she was being flown out to
24 California by the Azoff Entities to work for the Eagles and Frey, she later learned
25 that she was working for both the Eagles and Dolan. Marc Robbins, an agent of the
26
27

1 Azoff Entities with an “azoffmuicmanagement.com” email address, forwarded Ms.
2 Croft an email that suggested her flight to California would be expensed on “the JD
3 credit card.” On information and belief, “JD” referred to James Dolan and/or JD &
4 The Straight Shot.
5

6 49. Ms. Croft thought it was strange that she was invited to Los Angeles,
7 as normally when the Eagles were in a major city, the band members were too busy
8 to schedule massages with her. Frey also lived in California and had another
9 masseuse on call in Los Angeles, so Ms. Croft was not needed. Nevertheless, Ms.
10 Croft was grateful for the work and accepted the invitation.
11

12 50. Ms. Croft had no reason to believe she would not be working for the
13 Eagles on this tour. In booking her travel, Robbins told her that “I’ll need you at the
14 show Monday afternoon. We will make arrangements for you.” Additionally, Ms.
15 Croft received an email from the Eagles’ assistant tour manager in advance of her
16 trip stating that she was “excited to hear that we’ll get to see you soon.” As a result
17 of her communications with representatives of the Azoff Entities, she understood
18 and believed that she would be joining the Eagles on tour, as she had in the past.
19

20 51. Ms. Croft’s understanding was bolstered by the fact that Robbins, as a
21 member of the Azoff team serving as management for the Eagles, personally
22 transported Ms. Croft from The Peninsula to The Forum on days when shows were
23 scheduled.
24

1 52. At the time, Ms. Croft did not know that JD & The Straight Shot and
2 Dolan would be opening for the Eagles on this part of the tour.

3 53. On all prior legs of the Eagles tour, Ms. Croft understood that the Azoff
4 Entities paid for her travel and lodging on behalf of the Eagles. Because Dolan or
5 his band was paying for Ms. Croft's presence on the Los Angeles tour stint, the
6 agents and representatives of the Azoff Entities must have known that Ms. Croft's
7 presence was specifically requested by Dolan.

8 54. Ms. Croft also did not realize at the time the deep connections between
9 Azoff's companies and James Dolan. As part of the partnership formed with the
10 creation of Azoff MSG Entertainment, LLC in September 2013, Dolan's MSG paid
11 Azoff Music Management \$125 million for a 50% stake in the joint venture and also
12 provided a \$50 million line of credit. The joint venture was specifically created to
13 fund the renovation and reopening of The Forum, the historic music venue in Los
14 Angeles. The venue's first tour upon reopening in January 2014 was the Eagles,
15 with JD & The Straight Shot performing as the opening act.⁶

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23 ⁶ Indeed, on December 21, 2013, Irving Azoff and his wife Shelli sent an email
24 invitation to the opening of The Forum, which specifically acknowledged that the venue
25 remodeling was done jointly with Dolan: "We are delighted to extend the attached
26 invitation from the two of us, along with Jim Dolan, for you and a guest to attend what
promises to be a once in a lifetime evening, celebrating the re-opening the newly remodeled
Los Angeles Forum." See <https://wikileaks.org/sony/emails/emailid/56721> (last accessed
April 10, 2024).

1 55. This joint venture was particularly important to Irving Azoff, who after
 2 leaving his positions at LiveNation, was restricted in his ability to engage in new
 3 artist management. By teaming up with Dolan and MSG in 2014, Azoff was allowed
 4 to continue to grow his influence in the music industry, and therefore he and his
 5 businesses were heavily reliant on Dolan at this time.⁷

7 56. Indeed, Ms. Croft did not realize that the only reason Dolan was
 8 opening for the Eagles was because of his monetary investments in Irving Azoff's
 9 companies and, specifically, in The Forum. As one article described Dolan's path
 10 to establishing his band,

13 Dolan hit up powerful friends who'd offered to help. Azoff took over
 14 management of Dolan's band. He accepted an invitation from [Eagles
 15 band member Joe] Walsh, an Azoff client, for JD & the Straight Shot
 16 to open shows, including a date in August 2007 at the Beacon Theater,
 17 which MSG had acquired at the end of the previous year. Don Henley—

18 7 See Waddell, Ray, "The \$300 Million Comeback: Irving Azoff Teams With MSG's
 19 James Dolan to Create Intriguing Music Company," *Billboard*,
<https://www.billboard.com/music/music-news/the-300-million-comeback-irving-azoff-teams-with-msgs-james-dolan-to-5687155/> ("The privately held AMSGE will consist of
 20 Azoff Music Management's existing artist management firm alongside other businesses
 21 still in development, including publishing, TV production, and live event and digital
 22 branding. The James Dolan-led Madison Square Garden Co. (MSG) is paying Azoff
 23 Music Management \$125 million for a 50% stake in the joint venture and has also agreed
 24 to provide a \$50 million line of credit, giving the deal a total valuation of \$300 million.
 25 The funding will be key as Azoff and Dolan hinted strongly at ambitions to build parts
 26 of the new company through acquisition. The non-compete constraints of Azoff's exit
 deal with Live Nation won't be a factor after 2014. He remains arguably the best closer
 in the music biz, and it wouldn't be a surprise to see some of the Artist Nation companies
 once aligned with him come back onboard when they're contractually allowed to do
 so.").

1 the drummer and face of the Eagles, and Azoff stablemate—also
 2 brought the band on as a warm-up act. While serving as the Eagles’
 3 opener, JD & the Straight Shot got to be the first band to play the
 4 refurbished L.A. Forum, which Dolan’s company had acquired two
 5 years earlier. The Azoff connection likewise landed JD & the Straight
 6 Shot several stadium dates on a one-of-these-things-is-not-like-the-
 7 other-ones cavalcade tour in 2010 with the Eagles, Keith Urban, and
 8 the Dixie Chicks.⁸

9
 10 57. Although Ms. Croft was unaware of the financial transactions that led
 11 to Dolan’s participation in the tour, Dolan and the Corporate Defendants knew that
 12 Dolan controlled the purse strings as it related to the re-opening of The Forum, and
 13 that he thus had profound power over everyone involved in the venue and the tour.

14
 15 58. When Ms. Croft arrived in Los Angeles, the Azoff Entities, including
 16 Robbins, arranged for Ms. Croft to be picked up at the airport by a security guard
 17 for the Eagles who Ms. Croft knew from previous shows. The security guard
 18 brought her to stay at The Peninsula Hotel in Beverly Hills. Although the
 19 arrangements up until that point were typical of the other tour stints she had joined
 20 with the Eagles, she soon became aware that the trip to Los Angeles was very
 21 different. Unlike the other tour stints that she joined with the Eagles, for example,
 22 Ms. Croft was not housed at the same hotel as the band and the other tour support
 23 staff; instead, she was at the same hotel as Dolan and JD & The Straight Shot.

24
 25
 26 ⁸ Dave McKenna, *James Dolan Wants You to Love His Band*, Deadspin (May 5,
 27 2016) <https://deadspin.com/james-dolan-wants-you-to-love-his-band-177444500> (last
 accessed April 10, 2024).

1 59. On all other tour stints, Ms. Croft traveled and ate her meals with Frey
2 and the Eagles, was provided with a hotel room paid for by the Azoff Entities that
3 was located very close to Frey's room, traveled to and from the venue with Frey, and
4 was provided compensation exclusively from the Azoff Entities for her work with
5 the Eagles. By contrast, in Los Angeles, Ms. Croft barely saw Frey or the other
6 members of the Eagles.
7

8 60. Ms. Croft was given a room to perform massages at the Forum, the
9 newly re-opened venue funded by Irving Azoff and James Dolan. Ms. Croft spent
10 the majority of the time in Los Angeles by herself in the room at the Forum. Almost
11 no tour members signed up for massage appointments.
12

13 61. Ms. Croft did not perform a single massage on any member of the
14 Eagles while working at The Forum, despite ostensibly being flown to California for
15 that very purpose, and even though she later received "venue pay" from the Eagles
16 through the Azoff Entities.
17

18 62. Although the Azoff Entities purported to fly Ms. Croft from Tennessee
19 to California to perform legal massage services for the Eagles and other tour
20 members, in reality, Ms. Croft was flown out to Los Angeles for the purposes of
21 engaging in unwanted sexual acts with Dolan. On information and belief, the Azoff
22 Entities arranged for Ms. Croft to be brought to California at Dolan's request. In
23 doing so, the Azoff Entities knew or acted in reckless disregard to the fact that Dolan
24

1 sought Ms. Croft's presence not for legitimate business purposes, but because he
2 wished to sexually exploit Ms. Croft.

3 63. Indeed, Dolan expected Ms. Croft to have sexual interactions with him
4 during the tour, and she spent her time either isolated by herself or waiting for
5 instructions from Dolan.

6 64. On evenings when there was no show scheduled at The Forum, Ms.
7 Croft would stay alone in her room at the Peninsula until she was inevitably called
8 to Dolan's room for a "massage" or to "work on [him.]" On these occasions, Dolan
9 never truly wanted only a massage, but expected sexual favors.

10 65. The payments that Azoff Entities made to Ms. Croft during the Los
11 Angeles leg of the Eagles tour were made, at least in part, for Ms. Croft to be
12 available when Dolan wanted to see her and have sex with her. Specifically, Ms.
13 Croft was paid "venue pay," approximately \$700 per day at The Forum, in cash,
14 from an accountant for the Azoff Entities by the name of John Dalton. Dalton was
15 directed to pay this amount to Ms. Croft even though she performed almost no
16 massages when at The Forum.

17 66. Likewise, Dolan authorized the Azoff Entities to fly Ms. Croft from
18 Tennessee to Los Angeles and have Ms. Croft lodged at the Peninsula, paid for on
19 the "JD credit card," so that Ms. Croft would be available when he wanted to see her
20 and have sex with her. Additionally, Dolan's tour manager Annie Bloom wired Ms.
21

1 Croft \$8,400 in payment for the Los Angeles leg of the tour, even though she
2 performed almost no work for JD & The Straight Shot, and spent the entirety of the
3 Los Angeles leg of the tour either alone or at Dolan's beck and call for sexual favors.
4

5 67. Ms. Croft did not want to have sexual and intimate contact with a man
6 twice her age whom she did not find remotely attractive. But given Dolan's power,
7 she was terrified of upsetting him by rejecting his sexual demands. She understood
8 that doing so would jeopardize her work with the Eagles and future opportunities to
9 serve as a Licensed Massage Therapist for professional musicians. Thus, Ms.
10 Croft's submission to Dolan's sexual demands, which included him touching Ms.
11 Croft's breasts, buttocks and vagina, was neither free nor voluntary, and was against
12 Ms. Croft's will.

13 68. At times, Dolan acted romantically toward Ms. Croft, pretending that
14 he had brought her to California for something more than merely satisfying his desire
15 to have a sex-fueled "rock star" experience on the road. Ms. Croft's youthful naivete
16 led her to believe, at the time, that Dolan actually cared about her.

17 69. Dolan even suggested that he would rent a car and drive with Ms. Croft
18 down the Pacific Coast Highway. Instead, Ms. Croft was left alone at the Forum or
19 at The Peninsula while other tour members socialized.
20

21 70. On one occasion, Ms. Croft was summoned to Dolan's hotel room for
22 a supposed "massage." Once in his room, Dolan shared that he and "the band"
23

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1 (meaning his JD & The Straight Shot bandmates) had together gone to an adult
2 entertainment store where Dolan had purchased a vibrating sex toy for Ms. Croft.
3 He told her that he bought it for her because she had previously discussed with him
4 the practice of using vibrations on vocal cords for massages for vocalists like the
5 musicians she worked with. When Ms. Croft explained that the device she was
6 referring to was a specific professional massage tool, Dolan then suggested the two
7 use the sex toy he purchased for sexual activity.
8

9
10 71. Ms. Croft was humiliated—first, because Dolan had made a mockery
11 of the massage practices that she had devoted her career to and took extremely
12 seriously, and second, because it was clear that Dolan had told his friends and
13 bandmates that he was purchasing a sex toy *for her*, leaving no question that others
14 on the tour knew that Dolan was having sexual contact with Ms. Croft.
15

16
17 72. By disclosing his illicit activities with Ms. Croft to his bandmates, Ms.
18 Croft believes that Dolan also gave the impression to others on the tour that Ms.
19 Croft was available to provide sexual services. For example, JD & The Straight Shot
20 band member Brian Mitchell signed up for a massage with Ms. Croft. When in the
21 massage room, Mitchell asked Ms. Croft if she would provide him with a “prostate
22 massage.” At the time, Ms. Croft did not know what that meant, and she told Mr.
23 Mitchell that she wasn’t familiar with what he was asking for but would do some
24 research. Ms. Croft subsequently determined that Mitchell was asking for a sexual
25 research. Ms. Croft subsequently determined that Mitchell was asking for a sexual
26 research. Ms. Croft subsequently determined that Mitchell was asking for a sexual
27 research. Ms. Croft subsequently determined that Mitchell was asking for a sexual
28

1 favor, not a legitimate massage. On information and belief, Dolan's bandmate
 2 believed that Ms. Croft would engage in sexual contact because Dolan had suggested
 3 that she was available for sexual favors.
 4

5 **IV. Dolan Fraudulently Coordinates a Meeting Between Ms. Croft and**
Harvey Weinstein

7 73. A few days into this leg of the tour, on January 21, 2014, Dolan
 8 encouraged Ms. Croft to join two female assistants from Irving Azoff Management,
 9 including a woman named Jillian Lentz,⁹ for shopping and dinner in Los Angeles.
 10 After shopping for clothes, the three women had dinner at a burger restaurant. Ms.
 11 Croft was nervous and uncomfortable around these two strangers.
 12

13 74. When she returned to the Peninsula, she waited for the elevator to her
 14 floor next to a large man she had never seen before while holding her shopping bags
 15 and a box of leftover food. When the elevator arrived, Ms. Croft and the man entered
 16 the elevator together.
 17

19 75. In the elevator, the large man asked Ms. Croft, "who is that to-go box
 20 for?" She responded that she was going to give it to her friend James Dolan, who
 21 was also staying at the hotel.
 22

23
 24
 25
 26 ⁹ According to Ms. Lentz's LinkedIn profile, she worked for Azoff Music
 Management from October 2013 through February 2015. See
 27 <https://www.linkedin.com/in/jillianlentz/details/experience/> (last accessed April 10, 2024).
 28

1 76. The man responded to Ms. Croft that Dolan was “one of his best
2 friends,” and proceeded to ask Ms. Croft if she was “the massage therapist.”
3 According to the man, Dolan had mentioned his massage therapist and had said great
4 things about her. He introduced himself as Harvey Weinstein.
5

6 77. Ms. Croft did not know much about Weinstein other than what she had
7 heard from Dolan himself, who had boasted about having a “buddy” who worked on
8 all the cool movies in Hollywood.
9

10 78. In the elevator, Weinstein suggested that he might have work
11 opportunities for Ms. Croft, stating that “we always need massage therapists on set
12 for actors and actresses.” He asked Ms. Croft if she would be interested in such an
13 opportunity.
14

15 79. Ms. Croft was stunned by the offer and said that she would be happy to
16 discuss such a role.
17

18 80. Weinstein suggested that they discuss the job opportunity immediately,
19 and he insisted that Ms. Croft join him in his suite to continue the conversation.
20

21 81. Ms. Croft’s hotel room was near Weinstein’s. Because she had no other
22 obligations that evening, she agreed to join Weinstein to discuss what sounded like
23 a dream job opportunity.
24

25 82. After entering Weinstein’s suite, Ms. Croft sat down on a couch in the
26 living room area and set down her to-go box and shopping bags near her. Weinstein
27

1 nodded towards Ms. Croft's shopping bags and told her that she should try on the
2 clothes she purchased for him. Weinstein told Ms. Croft that as a producer for the
3 show Project Runway, he "really knew" clothes and could tell when things "fit"
4
5 properly."

6 83. Although confused by the request, Ms. Croft was extremely intimidated
7 by Weinstein. As Ms. Croft began to take her shopping bags to the bathroom in the
8 living room area of the suite, Weinstein stopped her, telling her to try on the clothes
9 “out here,” insisting that “that’s how we do it here.”
10

11 84. Ms. Croft explained that she was not comfortable with changing in front
12 of him and proceeded to the bathroom. Weinstein appeared amused at Ms. Croft's
13 protestations.
14

13 85. After trying on some clothes, Ms. Croft returned to the couch to discuss
14
15 the work opportunity Weinstein had mentioned. Weinstein handed Ms. Croft a
16
17 drink, but she only took a sip or two, wanting to focus instead of the potential
18 business opportunity.
19
20

21 86. Weinstein was extremely complementary towards Ms. Croft, noting
22 that she reminded him of actress Reese Witherspoon.

V. Weinstein Sexually Assualts Ms. Croft and Ms. Croft Immediately Reports the Assualt to Dolan

1 87. As the conversation turned to massage therapy, Weinstein asked Ms.
2 Croft if she could “show [him] what she could do” and requested that she give him
3 a massage. Ms. Croft immediately dismissed the request, noting that she was very
4 particular about only performing massages properly using her massage table.
5

6 88. Around this time, Weinstein came behind Ms. Croft on the couch and
7 began rubbing her shoulders, again requesting that she massage him.
8 Uncomfortable, Ms. Croft again stated she would not perform any massage without
9 the proper set up.
10

11 89. Weinstein then excused himself to go to the bathroom. When he
12 returned to the living room area of the suite, he was wearing a loosely tied bathrobe
13 and appeared to be naked underneath the bathrobe. While standing mostly unclothed
14 in front of Ms. Croft, he asked her, “so, when are you going to give me a massage?”
15

16 90. Ms. Croft was terrified and panicked. She immediately tried to figure
17 out a way to avoid the escalating situation. She reiterated that it was very important
18 to have her massage table, especially for someone with a “greater stature” like
19 Weinstein. Frantic to avoid what Weinstein was requesting, she also suggested that
20 she would need permission from the Eagles to perform any other massages, as she
21 was brought out to Los Angeles for them specifically.
22
23

1 91. Weinstein was unfazed by Ms. Croft's attempts to get away and asked
2 her to look at the bed in the bedroom of the suite because it was "perfect" for a
3 massage.
4

5 92. When Ms. Croft again said she was not comfortable with the situation,
6 Weinstein began to get irritated and angry with her. He stated, "well this is just how
7 people do things in Hollywood, if you will not be reasonable and are not able to
8 handle requests on the fly, you won't make it in Hollywood."
9

10 93. Ms. Croft agreed to look at the bed, but again assured Weinstein that
11 the bed would not work for a massage, and that she really needed her table and for
12 his body to be draped with a sheet or blanket. Weinstein became very angry, stating
13 that Ms. Croft could easily massage him on the bed and that he liked to be completely
14 naked.
15

16 94. Ms. Croft tried to leave the room, but Weinstein blocked the door to
17 prevent her from leaving. Terrified and desperate, Ms. Croft tried one last attempt
18 to avoid Weinstein, stating that she felt "so lucky to have the opportunity to work
19 on" Weinstein and wanted to make sure that it was done correctly so that she could
20 show him what she is capable of. Weinstein reluctantly agreed and allowed Ms.
21 Croft to exit the suite.
22
23

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1 95. Ms. Croft hurried down the hallway to her hotel room, but as she left,
2 she realized that Weinstein had followed her out of his suite down the hallway. He
3 was still only wearing a loosely tied bathrobe.
4

5 96. Ms. Croft arrived at her room and rushed inside. Once inside, Ms. Croft
6 attempted to push the door closed. As the door closed, though, Weinstein stuck his
7 foot in the opening of the door and pushed the door open. He barged into Ms. Croft's
8 hotel room.
9

10 97. Weinstein then backed Ms. Croft onto the bed, forced her down, and
11 forced her legs open. Standing between her legs, he undid his robe, and shoved his
12 fingers inside of her, using his other hand to hold her down. He tried to force his
13 penis inside of her, although he struggled to do so.
14

15 98. Ms. Croft fought back the best she could, although she recalls that
16 Weinstein felt like a giant compared to her. She struggled to sit up, push him away,
17 and tried as hard as she could to keep her legs together.
18

19 99. In the midst of the assault, Ms. Croft's hotel room phone began to ring.
20 She tried to use the phone as an excuse to escape, stating "that's probably Jim Dolan
21 calling me, he is going to come down here if I don't answer his call."
22

23 100. Ms. Croft managed to wriggle away enough to grab the phone, and
24 discovered that it was, in fact, Dolan calling her. She picked up the call and told
25 Dolan that she would be with him shortly.
26

1 101. After hearing her speak to Dolan, Weinstein backed off of Ms. Croft.
2 He then stated to her, “well, you know Jim and I are best friends. He’s going to be
3 very disappointed that you led me on, this won’t look good for you.” Weinstein then
4 left Ms. Croft’s hotel room.
5

6 102. Rattled and shaken, Ms. Croft went to Dolan’s hotel room. She was
7 visibly upset, and Dolan inquired what was wrong.
8

9 103. In response, Ms. Croft told Dolan that she had met Weinstein in the
10 elevator lobby, had joined him for a discussion, and that Weinstein was “sexually
11 aggressive” with her.
12

13 104. Dolan was not at all surprised by the fact that Ms. Croft had “randomly”
14 happened to meet one of his “best friends” at the hotel. Nor, incredibly, did Dolan
15 express any surprise at the news that Weinstein was “sexually aggressive” with Ms.
16 Croft. To the contrary, Dolan responded to Ms. Croft’s report of sexual assault in a
17 completely matter-of-fact tone, noting that Weinstein was “a troubled person” that
18 had a lot of “serious issues,” but that his friends were “trying to get him to address”
19 those issues. Dolan intimated that Weinstein was not a “safe” person but did little
20 to console Ms. Croft or help her to report the assault to the authorities. Indeed, with
21 his comments, Ms. Croft felt that Dolan completely dismissed the gravity of the
22 situation and did not truly care about what his friend had done to her.
23
24

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1 105. The day after the attack, Ms. Croft attempted to work but felt so
2 physically and emotionally unwell that Robbins, the executive from the Azoff
3 Entities, sent a doctor to see her. In the following days, Ms. Croft felt so physically
4 and emotionally unwell that she called out sick from work. She found herself unable
5 to leave her hotel room, wracked with shame and disgust, and completely isolated.
6
7 Dolan was aware that Ms. Croft was unwell after Weinstein's horrific attack.
8

9 106. Ms. Croft left the tour after the Los Angeles concerts heartbroken and
10 traumatized.

11 107. The Azoff Entities arranged and paid for Ms. Croft's return flight from
12 Los Angeles to Tennessee.

13
14 **VI. Ms. Croft Suffers Following Dolan's Exploitation and Manipulation**
15 **and Weinstein's Horrific Sexual Attack**

16 108. Ms. Croft was never the same after her experiences on tour with the
17 Eagles.

18 109. When she returned home to Tennessee, her friends and family noticed
19 that she was no longer as happy and energetic as she used to be.
20

21 110. Moreover, she lost her passion and love for massage therapy—a
22 practice she had previously devoted her life to. When she had scheduled massage
23 appointments with clients following the tour, she would often have panic attacks
24 leading up to the appointment. On multiple occasions, just before starting a massage,
25

1 Ms. Croft's muscles would tense so extremely that she could not move her hands or
2 perform a massage. On these occasions, she would retreat to an empty room where
3 she would cry and shake until she could call her parents to pick her up.
4

5 111. To cope with the incessant stress and horrific memories of the tour, Ms.
6 Croft turned to drugs and alcohol to forget about the assault and to assuage her
7 feelings of shame and guilt for getting roped into Dolan's manipulations. Her
8 substance use turned to abuse, and she later required extensive rehabilitation to cope
9 with her depression and the related substance use.
10

11 112. Weinstein's assault and Dolan's unlawful sex trafficking and
12 manipulation—both together and separately—weighed on Ms. Croft for years. She
13 struggled to form healthy relationships with men, as she felt betrayed by her trusting
14 nature, believing it led Dolan to take advantage of her and allowed Weinstein to
15 attack her.
16

17 113. Tragically, Ms. Croft has since abandoned her lifelong love of massage
18 therapy. She is unable to engage in the healing physical practice that she cared so
19 deeply for, as now it carries all of the pain and devastation caused by Dolan and
20 Weinstein.
21
22

23

24

25

26

27

28

FIRST CAUSE OF ACTION
(Violation of 15 U.S.C. §§ 1591 and 1595)
Against James Dolan and The Corporate Defendants

114. Plaintiff repeats and realleges each and every allegation in all of the preceding paragraphs as if fully set forth herein.

115. Plaintiff is a victim of sex trafficking within the meaning of 18 U.S.C. § 1591(a) and (b) and is therefore entitled to bring a civil action under 18 U.S.C. § 1595.

116. Defendant Dolan and the Corporate Defendants formed a venture as defined by 18 U.S.C. § 1591 given that they constituted a “group of two or more individuals associated in fact, whether or not a legal entity.”

117. Defendant Dolan was an agent of the Corporate Defendants.

118. Defendants' acts and omissions, taken separately and/or together, as outlined above, constitute a violation of 18 U.S.C. § 1591. Specifically, Defendant James Dolan and the Corporate Defendants perpetrated sex trafficking of Ms. Croft by transporting her to California for the purposes of providing sexual favors, and all Defendants benefitted from Dolan's venture by keeping Ms. Croft subject to Dolan's demands and desires. At all relevant times, Defendants participated in and facilitated the harboring and transportation of Plaintiff for purposes of sex induced by force, fraud, or coercion.

1 119. The sex acts between Dolan and Ms. Croft referred to in paragraphs 62-
2 67 above were “commercial sex acts” within the meaning of 18 U.S.C. § 1591(e)(3)
3 because, as described above, Ms. Croft received “things of value” in exchange for
4 having unwelcome sexual contact with Dolan, including cash payments that were
5 nominally for massage services, round trip airfare from Tennessee to California, and
6 a multi-night stay at the Peninsula Hotel. In exchange for these sex acts with Dolan,
7 Ms. Croft also received promises from Dolan that she would be invited to the
8 European leg of the Eagles tour, and that she could potentially receive work as a
9 massage therapist for other musical tours that went through Dolan’s Madison Square
10 Garden arena in New York City. Ms. Croft did, in fact, join the European leg of the
11 of the Eagles tour in May 2014, which, on information and belief, was at Dolan’s
12 behest to the Azoff Entities. Dolan received sexual gratification from these sex acts,
13 which is also a “thing of value” within the meaning of 18 U.S.C. § 1591(e)(3).

14 120. The Corporate Defendants, including the Azoff Entities, have
15 financially and otherwise benefited as a result of these acts and omissions by keeping
16 Dolan satisfied. In addition to the extremely close personal relationship between
17 Dolan and Irving Azoff, Dolan was a critically important business partner for the
18 Azoff Entities, reflected by Dolan’s decision to have Madison Square Garden invest
19 \$175 million in Azoff MSG Entertainment, LLC and to serve as a funding source
20 for the Eagles 2014 tour and the opening of The Forum. The Azoff Entities thus
21

1 benefited from facilitating Dolan's behavior to the extent it kept their important
2 partner, a notoriously erratic billionaire, happy.

3 121. Defendant Dolan acted as an agent to each of the Corporate Defendants.

4 122. As alleged in paragraph 35, by his own public admissions, Dolan
5 founded and closely managed Defendant the Azoff Company LLC (formerly known
6 as "Azoff MSG Entertainment, LLC.") As alleged in paragraphs 54 and 120, the
7 Defendant Azoff Company Holdings, LLC (formerly known as "Azoff Music
8 Management LLC") engaged in a joint venture with Azoff Company LLC to fund
9 the renovation and reopening of the Forum, in Los Angeles, as a part of which
10 venture the two Azoff Entities also organized the Eagles 2014 Tour which employed
11 Plaintiff.

12 123. Dolan had significant managerial discretion over the activities of the
13 joint venture, including personnel matter, as alleged in paragraphs 34, 36, 39 and 48.

14 124. As alleged in paragraph 62, when Dolan arranged through the Azoff
15 Entities to have Croft transported to California, it was on the pretext that she was an
16 employee of the Azoff Entities, when in reality he intended to use her employment
17

as a masseuse to sexually assault her, and use fraud, force, and coercion to induce her into commercial sex acts.

125. Accordingly, Dolan acted in his capacity as an agent when he violated the Trafficking Victims Protection Act, and the Azoff Entities are vicariously liable for his conduct.

126. As a direct and proximate result of Defendants' unlawful conduct as
alleged hereinabove, Plaintiff has suffered physical injury, severe emotional distress
and anxiety, humiliation, embarrassment, post-traumatic stress disorder, economic
harm, and other consequential damages.

127. Plaintiff also seeks reasonable attorneys' fees as provided under 18
U.S.C. § 1595(a).

SECOND CAUSE OF ACTION
(Sexual Battery)
Against James Dolan

128. Plaintiff repeats and realleges each and every allegation in all of the preceding paragraphs as if fully set forth herein.

129. Defendant James Dolan committed a battery against Plaintiff when he intentionally engaged in trafficking Plaintiff for commercial sex acts and then engaged in unlawful, intentional, and offensive touching or application of force to Plaintiff's person, where Plaintiff did not act freely and voluntarily with knowledge

of the nature of the transactions involved, and the actions were against Plaintiff's will, as defined in Cal. Penal Code § 243.4.

130. As a result of Dolan's alleged conduct, Plaintiff has suffered physical injury, severe emotional distress, humiliation, embarrassment, anxiety, economic harm, and other consequential damages.

131. The conduct of Dolan described above was willful, wanton, and malicious. At all relevant times, Dolan acted with conscious disregard of Plaintiff's rights and feelings, acted with the knowledge of or with reckless disregard for the fact that his conduct was certain to cause injury and/or humiliation to Plaintiff, and intended to cause fear, physical injury, and/or pain and suffering to Plaintiff. By virtue of the foregoing, Plaintiff is entitled to recover punitive and exemplary damages from James Dolan according to proof at trial.

132. This cause of action is timely under California's Sexual Abuse and Cover-Up Accountability Act, AB 2777 because it is "based on conduct that occurred on or after January 1, 2009, and is commenced []after January 1, 2019," and is thereby revived by Cal. Code Civ. Proc. § 340.16 (b)(3).

THIRD CAUSE OF ACTION
(Sexual Assault/Attempted Rape)
Against Harvey Weinstein

133. Plaintiff repeats and realleges each and every allegation in all of the preceding paragraphs as if fully set forth herein.

134. Defendant Harvey Weinstein committed an assault and battery against Plaintiff because he intentionally engaged in unlawful, intentional, and offensive touching or application of force to Plaintiff's person , as defined in Cal. Penal Code §§ 243.4 and 261.

135. As a result of Harvey Weinstein's alleged conduct, Plaintiff has suffered physical injury, severe emotional distress, humiliation, embarrassment, anxiety, economic harm, and other consequential damages.

136. The conduct of Harvey Weinstein described above was willful, wanton, and malicious. At all relevant times, Harvey Weinstein acted with conscious disregard of Plaintiff's rights and feelings, acted with the knowledge of or with reckless disregard for the fact that his conduct was certain to cause injury and/or humiliation to Plaintiff, and intended to cause fear, physical injury, and/or pain and suffering to Plaintiff. By virtue of the foregoing, Plaintiff is entitled to recover punitive and exemplary damages from Harvey Weinstein according to proof at trial.

137. This cause of action is timely under California's Sexual Abuse and Cover-Up Accountability Act, AB 2777 because it is "based on conduct that occurred on or after January 1, 2009, and is commenced []after January 1, 2019," and is thereby revived by Cal. Code Civ. Proc. § 340.16 (b)(3).

FOURTH CAUSE OF ACTION
(Aiding and Abetting Sexual Assault/Attempted Rape)
Against James Dolan

1 138. Plaintiff repeats and realleges each and every allegation in all of the
2 preceding paragraphs as if fully set forth herein.
3

4 139. Defendant James Dolan aided, abetted, advised, encouraged, enabled,
5 and facilitated Defendant Harvey Weinstein's battery and assault of Plaintiff by
6 orchestrating and facilitating a meeting between Weinstein and Plaintiff for the
7 purposes of Weinstein engaging in sex acts with Plaintiff, and Weinstein did in fact
8 intentionally engage in unlawful, intentional, and offensive touching or application
9 of force to Plaintiff's person, as defined in Cal. Penal Code §§ 243.4 and 261.
10

11 140. As a result of James Dolan's alleged conduct in aiding and abetting
12 Weinstein's criminal acts, Plaintiff has suffered physical injury, severe emotional
13 distress, humiliation, embarrassment, anxiety, economic harm, and other
14 consequential damages.
15

16 141. The conduct of James Dolan described above was willful, wanton, and
17 malicious. At all relevant times, James Dolan acted with conscious disregard of
18 Plaintiff's rights and feelings, acted with the knowledge of or with reckless disregard
19 for the fact that his conduct was certain to cause injury and/or humiliation to
20 Plaintiff, and intended to cause fear, physical injury, and/or pain and suffering to
21 Plaintiff. By virtue of the foregoing, Plaintiff is entitled to recover punitive and
22 exemplary damages from James Dolan according to proof at trial.
23

142. This cause of action is timely under California’s Sexual Abuse and Cover-Up Accountability Act, AB 2777 because it is “based on conduct that occurred on or after January 1, 2009, and is commenced []after January 1, 2019,” and is thereby revived by Cal. Code Civ. Proc. § 340.16 (b)(3).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays judgment be entered in her favor against Defendants, and each of them, as follows:

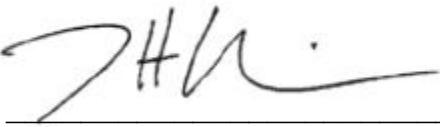
1. For a money judgment representing compensatory damages including consequential damages, lost wages, earning, and all other sums of money, together with interest on these amounts, according to proof;
2. For an award of money judgment for mental pain and anguish and severe emotional distress, according to proof;
3. For punitive and exemplary damages according to proof;
4. For attorneys' fees and costs;
5. For prejudgment and post-judgment interest; and
6. For such other and further relief as the Court may deem just and proper.

1 **JURY DEMAND**

2 Plaintiff hereby demands a trial by jury on all issues of fact and damages stated
3 herein.

4 Dated: July 8, 2024

5 Respectfully submitted,

6 By: 

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